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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HARRIS LAW FIRM, LLP, Nevada limited liability
partnership, dba RICHARD HARRIS LAW FIRM,

Plaintiffs,

vs.

NAILA LYNN MARTINEZ, an individual; A & M
CHIROPRACTIC WELLNESS CENTER, LLC, a
Nevada limited liability company; AARGON
AGENCY, INC., a Nevada corporation dba AARGON
COLLECTION AGENCY; APEX MEDICAL
CENTER, a Nevada corporation; CANYON
MEDICAL BILLING, LLC, a Nevada limited liability
company; ANDREW M. CASH, M.D., P.C., a
Nevada Professional Corporation dba DESERT
INSTITUTE OF SPINE CARE; ELLIS, BANDT,
BIRKIN, KOLLINS, & WONG, PROF. CORP., a
Nevada Professional Corporation dba DESERT
RADIOLOGISTS; ENRICO FAZZINI, M.D., an
individual; DANIEL L. BURKHEAD, M.D., LTD., a
Nevada corporation dba INNOVATIVE PAIN CARE
CENTER; WOODWARD AVE., LLC, a Nevada
limited liability company dba INNOVATIVE
PROCEDURAL AND SURGICAL CENTER;; LAS
VEGAS PHARMACY, INC. a Nevada corporation;
MD SPINE SOLUTIONS, LLC, a California limited
liability company dba MD LABS; PLUSFOUR, INC.,
a Nevada corporation; RAXO DRUGS, INC., a

CASE NO.: 2:17-cv-02827

**STIPULATION AND ORDER FOR
DISBURSEMENT AND DISMISSAL**

Stipulation and Order for Disbursement and Dismissal
Harris Law Firm v. Martinez, et al., 2:17-cv-02827



Nevada corporation; SHADOW EMERGENCY PHYSICIANS, PLLC, a Nevada professional limited liability company; SMART ASSET INVESTMENTS, LLC, a Nevada limited liability company; VALLEY HEALTH SYSTEM, LLC, a Delaware limited liability company dba SPRING VALLEY HOSPITAL MEDICAL CENTER; TEAMSTERS LOCAL 631 TRUST FUNDS, an unknown entity; THEODORE M. THORP M.D., PROF CORP., a Nevada Professional Corporation; MATTHEW G. ROACH, D.C., PROF. CORP, a Nevada corporation dba WESTON CHIROPRACTIC; WILLIAM S. MUIR, M.D., LTD., a Nevada corporation dba WILLIAM MUIR, MD SPINE SURGERY; and DOES I through X, inclusive,

Defendants.

Upon information and belief, Plaintiff has properly served all Defendants with the Complaint for Interpleader. The table below contains the Defendants to this litigation and their status in the case:

Party Name	Answer Date	Default Date	Disclaimer Date
A & M Chiropractic Wellness Center, LLC		5/18/2018	
Aargon Agency, Inc. dba Aargon Collection Agency			10/10/2017
Andrew M. Cash, M.D., P.C. dba Desert Institute of Spine Care		5/18/2018	
Apex Medical Center		5/18/2018	
Canyon Medical Billing, LLC	10/10/2017		
Daniel L. Burkhead, M.D., Ltd. dba Innovative Pain Care Center	5/17/2018		
Ellis, Bandt, Birkin, Kollins, & Wong, Prof. Corp. dba Desert Radiologists		5/18/2018	
Enrico Fazzini, M.D.	11/13/2017		
Las Vegas Pharmacy, Inc.		5/18/2018	
Matthew G. Roach, D.C., Prof. Corp. dba Weston Chiropractic			10/12/2017
MD Spine Solutions, LLC dba MD Labs		5/18/2018	
Naila Lynn Martinez		5/18/2018	
Plusfour, Inc.		5/11/2018	
Raxo Drugs, Inc.		5/11/2018	
Shadow Emergency Physicians, PLLC		5/11/2018	
Smart Asset Investments, LLC	1/18/2018		
Teamsters Local 631 Trust Funds	1/11/2018		
Theodore M. Thorp M.D., Prof Corp.			10/11/2017
Valley Health System LLC dba Spring Valley Hospital Medical Center		5/11/2018	

William S. Muir, M.D., Ltd. dba William Muir, MD Spine Surgery		10/11/2017
Woodward Ave., LLC dba Innovative Procedural and Surgical Center	5/17/2018	

Therefore, Plaintiff, by and through its undersigned counsel, and Defendants, by and through their undersigned counsel, hereby stipulate and agree as follows:

IT IS HEREBY STIPULATED AND AGREED that all answering Defendants who have timely answered the Complaint in Interpleader have valid liens against recovery of **Naila Lynn Martinez** as follows:

Canyon Medical Billing, LLC	4,950.00
Enrico Fazzini, M.D.	6,938.30
Daniel L. Burkhead, M.D., Ltd. dba Innovative Pain Care Center	3,433.56
Woodward Ave., LLC dba Innovative Procedural and Surgical Center	32,000.00
Smart Asset Investments, LLC	17,961.76
Teamsters Local 631 Trust Funds	13,033.48
TOTAL	\$78,317.10

IT IS FURTHER STIPULATED AND AGREED that Attorney's fees be awarded to Plaintiff at the contracted rate of 40% of \$50,000 in the amount of \$20,000.

IT IS FURTHER STIPULATED AND AGREED that costs be awarded to Plaintiff in the amount of \$7,685 for costs incurred in the underlying case.

IT IS FURTHER STIPULATED AND AGREED that Teamsters Local 631 Trust Funds will be paid \$11,000.

IT IS FURTHER STIPULATED AND AGREED that the remaining \$11,315 be disbursed to the Defendants on a pro-rata basis based upon the following formula:

Settlement Funds Available	50,000
<i>Minus Attorney Fees/Costs:</i>	- 27,685
Teamsters Local 631 Trust Funds	- 11,000
Available Funds:	\$11,315.00(y)
Canyon Medical Billing, LLC	4,950.00
Enrico Fazzini, M.D.	6,938.30
Daniel L. Burkhead, M.D., Ltd. dba Innovative Pain Care Center	3,433.56
Woodward Ave., LLC dba Innovative Procedural and Surgical Center	32,000.00
Smart Asset Investments, LLC	17,961.76
Total Liens	\$65,283.62 (a)

Provider	Lien Amount	% = lien amount ÷ (a)	pro-rata amount = % × (y)
Canyon Medical Billing, LLC	4,950.00	7.5823%	857.94
Enrico Fazzini, M.D.	6,938.30	10.6279%	1,202.55
Daniel L. Burkhead, M.D., Ltd. dba Innovative Pain Care Center	3,433.56	5.2595%	595.11
Woodward Ave., LLC dba Innovative Procedural and Surgical Center	32,000.00	49.0169%	5,546.26
Smart Asset Investments, LLC	17,961.76	27.51134%	3,113.14
Disbursement:	\$78,317.10	100.00%	\$11,315.00

IT IS FURTHER STIPULATED AND AGREED that the remaining \$11,315 will be disbursed as follows:

Provider	Disbursement
Canyon Medical Billing, LLC	857.94
Enrico Fazzini, M.D.	1,202.55
Daniel L. Burkhead, M.D., Ltd. dba Innovative Pain Care Center	595.11
Woodward Ave., LLC dba Innovative Procedural and Surgical Center	5,546.26
Smart Asset Investments, LLC	3,113.14
Total	\$11,315.00

IT IS FURTHER STIPULATED AND AGREED that the providers are not prevented from pursuing Naila Lynn Martinez for the balance of their respective bills.

IT IS FURTHER STIPULATED AND AGREED that pursuant to FRCP 54(b), this is a final judgment against the following parties:

HARRIS LAW FIRM, LLP, Nevada limited liability partnership, dba RICHARD HARRIS LAW FIRM
Canyon Medical Billing, LLC
Enrico Fazzini, M.D.
Daniel L. Burkhead, M.D., Ltd. dba Innovative Pain Care Center
Woodward Ave., LLC dba Innovative Procedural and Surgical Center
Smart Asset Investments, LLC
Teamsters Local 631 Trust Funds

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IT IS FURTHER STIPULATED AND AGREED that this matter may be dismissed with prejudice.

<p>DIMOPOULOS INJURY LAW</p> <p><u>/s/ Kristina Weller</u> <u>7/2/18</u> KRISTINA WELLER, ESQ. Dated Nevada Bar No.: 007975 kw@stevedimopoulos.com Attorneys for Plaintiff</p>	<p>LEVINE GARFINKEL & ECKERSLEY</p> <p><u>/s/ Louis Garfinkel</u> <u>7/2/18</u> LOUIS E. GARFINKEL, ESQ. Dated Nevada Bar No. 3416 Attorneys for Smart Asset Investments, LLC., Innovative Procedural and Surgical Center & Innovative Pain Care Center</p>
<p>BROWNSTEIN HYATT FARBER SCHRECK, LLP</p> <p><u>/s Bryce Loveland</u> <u>7/2/18</u> Bryce C. Loveland Dated Nevada Bar No. 6120 Adam P. Segal Nevada Bar NO. 10132 bcloveland@bhfs.com asegal@bhfs.com Attorney for Teamsters Local 631 Trust Funds</p>	<p>CANYON MEDICAL BILLING</p> <p><u>/s/ Marisa Stearns</u> <u>7/2/18</u> MARISA G. STEARNS, ESQ. Dated Nevada Bar No. 005975 Attorney for Canyon Medical Billing</p>
<p>MARQUIS AURBACH COFFING</p> <p><u>/s/ Jonathan Lee</u> <u>7/2/18</u> Terry A. Coffing, Esq. Dated Nevada Bar No. 4949 Jonathan B. Lee, Esq. Nevada Bar No. 13524 tcoffing@maclaw.com jbl@maclaw.com Attorney for Enrico Fazzini, M.D.</p>	

ORDER

This matter having been stipulated to by the parties, through their respective counsel, and the Court being otherwise duly advised;

IT IS HEREBY ORDERED that the \$50,000 settlement shall be disbursed as follows:

HARRIS LAW FIRM, LLP, Nevada limited liability partnership, dba RICHARD HARRIS LAW FIRM, for fees	20,000.00
HARRIS LAW FIRM, LLP, Nevada limited liability partnership, dba RICHARD HARRIS LAW FIRM, for costs	7,685.00
Canyon Medical Billing, LLC	857.94

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Enrico Fazzini, M.D.	1,202.55
Daniel L. Burkhead, M.D., Ltd. dba Innovative Pain Care Center	595.11
Woodward Ave., LLC dba Innovative Procedural and Surgical Center	5,546.26
Smart Asset Investments, LLC	3,113.14
Teamsters Local 631 Trust Funds	11,000.00
TOTAL	\$50,000.00

IT IS FURTHER ORDERED that the providers are not prevented from pursuing Naila Lynn Martinez for the balance of their respective bills.

IT IS FURTHERED ORDERED, ADJUDGED AND DECREED that pursuant to FRCP 54(b), this Stipulation and Order is a final judgment against the following parties:

HARRIS LAW FIRM, LLP, Nevada limited liability partnership, dba RICHARD HARRIS LAW FIRM	
Canyon Medical Billing, LLC	
Enrico Fazzini, M.D.	
Daniel L. Burkhead, M.D., Ltd. dba Innovative Pain Care Center	
Woodward Ave., LLC dba Innovative Procedural and Surgical Center	
Smart Asset Investments, LLC	
Teamsters Local 631 Trust Funds	

IT IS FURTHER ORDERED that this matter may be dismissed with prejudice.

DATED: July 2, 2018


DISTRICT JUDGE

Submitted by:
DIMOPOULOS INJURY LAW

KRISTINA R. WELLER, ESQ.
Nevada Bar No.: 007975